

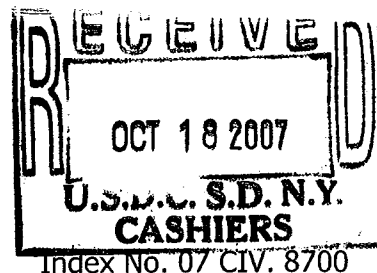
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
THE INSURANCE CORPORATION OF NEW YORK,
Plaintiff(s),

-against-

UNITED STATES UNDERWRITERS INSURANCE
COMPANY, NATIONAL SURETY CORPORATION
and FEDERAL INSURANCE COMPANY,
Defendant(s).

-----X
STATE OF NEW YORK)
S.S.:
COUNTY OF NEW YORK)



AFFIDAVIT OF SERVICE

ROBERT MILLS, being duly sworn, deposes and says that he is over the age of eighteen years, is employed by the attorney service, DLS, INC., and is not a party to this action.

That on the 11th day of October 2007, at approximately 4:30 pm, deponent served a true copy of the **SUMMONS IN A CIVIL ACTION, COMPLAINT FOR DECLARATORY JUDGMENT, CIVIL COVER SHEET AND RULE 7.1 STATEMENT** upon United States Underwriters Insurance Company c/o New York State Insurance Department at 25 Beaver Street, New York, NY 10004, by personally delivering and leaving the same with Charlene Norris, Clerk, who informed deponent that she is an agent authorized by appointment to receive service at that address. At the time of service, a fee in the sum of \$40.00 was tendered.

Charlene Norris is a black female, approximately 46 years of age, stands approximately 5 feet 7 inches tall and weighs approximately 160 pounds with black hair and brown eyes and wearing glasses.



ROBERT MILLS #1004298

Sworn to before me this
15th day of October, 2007


NOTARY PUBLIC

JONATHAN T. RIPPS
Notary Public, State of New York
NO. 01R6109718
Qualified in Rockland County
Certificate Filed in New York County
Commission Expires May 17, 2008

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

THE INSURANCE CORPORATION OF NEW YORK,

Plaintiff,

SUMMONS IN A CIVIL ACTION

V.

UNITED STATES UNDERWRITERS INSURANCE
COMPANY, NATIONAL SURETY CORPORATION
and FEDERAL INSURANCE COMPANY,

CASE NUMBER:

07 CIV 8700

Defendants.

TO: (Name and address of Defendant)

United States Underwriters Insurance Company
190 South Warner Road
P.O. Box 6700
Wayne, PA 19087-2191

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Melito & Adolfsen P.C.
233 Broadway, 28th Floor
New York, New York 10279

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

OCT 09 2007

CLERK

Marcos Quintero

DATE

(By) DEPUTY CLERK

STATE OF NEW YORK
INSURANCE DEPARTMENT
One Commerce Plaza
Albany, NY 12257

STATE OF NEW YORK
District Court, Southern District of New York

.....
The Insurance Corporation of New York

07 CV 8700

against

Plaintiff(s)

U S Underwriters Insurance Company

Defendant(s)

.....
RE : U S Underwriters Insurance Company

Attorney for Plaintiff(s) and Defendant please take notice as follows:

Sirs :

Attorney for Plaintiff(s) is hereby advised of acknowledgement of service upon me of Summons and Complaint in the above entitled action on October 16, 2007 at New York, New York. The \$40 fee is also acknowledged.

Pursuant to section 1213 of the Insurance Law, said process is being forwarded to Defendant at its last known principal place of business. Defendant is not authorized to do business in this state and you are advised that, while such service is accepted and being forwarded to the company, it is your duty to determine whether this is a proper service under section 1213 of the Insurance Law.

Original to Attorney for Plaintiff(s) :

Melito & Adolfsen, P.C.
233 Broadway
New York, New York 10279

Pursuant to the requirement of section 1213 of the Insurance Law, Defendant is hereby notified of service as effected above. A copy of the paper is enclosed.

Duplicate to Defendant :

Legal Department
U S Underwriters Insurance Company
190 South Warner Road
P.O. Box 6700
Wayne, Pennsylvania 19087



by Salvatore Castiglione
Assistant Deputy Superintendent & Chief

Dated Albany, New York, October 16, 2007
Defendant letter was certified at the Albany Post Office on Wednesday,
October 17, 2007 at 1 :30 P.M. by Cynthia LaPoint

421637 C.A.#187713